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EXAMINER
YEN, SYLING

ART UNIT	PAPER NUMBER
2166	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/766,701	PRATT ET AL.
Office Action Summary	Examiner	Art Unit	
	SYLING YEN	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>28 January 2004</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-32</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-32</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>28 January 2004</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>01/28/04</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____

DETAILED ACTION

1.   The pending claims 1-32 are presented for examination.

Claim Objections

2.   Claims 2-11 are objected to because of the following informalities:

        Claims 2-11 do not end with a period, See MPEP 608.01 (m) [R-7]. Appropriate

correction is required.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

4.   Claims 1-31 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

5.   Claims 1-31 are directed to a system wherein said system as being merely

software (as referring to: **A system for retrieving media assets and a database,**

comprising: an archive ..., a second designation ... and an interface ...). The

claims lack the necessary physical articles or objects to constitute a machine or a

manufacture within the meaning of 35 USC 101. They are clearly not a series of steps

or acts to be a process nor are they a combination of chemical compounds to be a

composition of matter. As such, they fail to fall within a statutory category. They are, at

best, functional descriptive material *per se.* Descriptive material can be characterized as

either "functional descriptive material" or "nonfunctional descriptive material." Both

types of "descriptive material" are nonstatutory when claimed as descriptive material *per*

se, 33 F.3d at 1360, 31 USPQ2d at 1759. When <u>functional</u> descriptive material is

recorded on some computer-readable medium, it becomes structurally and functionally

interrelated to the medium and will be statutory in most cases since use of technology

permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32

F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994). Merely claiming <u>non-</u>

<u>functional</u> descriptive material, i.e., abstract ideas, stored on a computer-readable

medium, in a computer, or on an electromagnetic carrier signal, does not make it

statutory. See *Diehr*, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an

algorithm in *Benson* were unpatentable as abstract ideas because "[t]he sole practical

application of the algorithm was in connection with the programming of a general

purpose computer.").

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in
> public use or on sale in this country, more than one year prior to the date of application for patent in
> the United States.

7.   Claims 1-7, 9-14, 16-24, 27-28 and 30-31 are rejected under 35 U.S.C. 102(b) as

being anticipated by Chakravarty et al (U.S. Patent Application 2002/0175917 A1

hereinafter, "Chakravarty").

8.   With respect to claim 1,

Chakravarty discloses **a system for retrieving media assets of a motion

picture comprising:**

an archive comprising a first plurality of media assets (Chakravarty

paragraphs 0019-0024 e.g. digital assets) **and a database** (Chakravarty paragraphs

0019-0024 e.g. storing each of the digital clips, each of the corresponding key frames,

and data concerning a correspondence between the digital clip and the corresponding

key frame ... the storage for the digital clips and the key frames may include a

streaming video server data store**),**

          wherein each of said first plurality of media assets is stored at a

          corresponding location within an associated one of a second plurality of

          consolidated asset rolls (Chakravarty paragraph 0042 e.g. A digital video 1401

          comprises a series of digital pictures, which may or may not be related, as

          generated typically by an encoder. The video includes a series of frames, and is

          viewed over time. Some of these frames within the video 1401 are selected as

          key frames 1403a-f. A key frame is typically selected by a user as indicating the

          beginning of a cohesive sequence of pictures. Key frames may be selected

          automatically or arbitrarily, as well. Each key frame thus is a snapshot

          representative of its sequence. Key frames may be used as a navigational aid

for examining and traversing the video, to select or lasso or bracket a particular

section or sections of the video, and for editing the section(s) of the video, to

ultimately be used in a clip 1405. The term clip is used to refer to a selected

portion or portions of the video, whether or not that portion has been edited.

Clips may be combined and further edited, resulting in another clip. A clip may

be created from more than one digital video, if desired,

said database comprising at least one record for each of said first

plurality of media assets (Chakravarty paragraphs 0019-0024 e.g. storing each

of the digital clips, each of the corresponding key frames, and data concerning a

correspondence between the digital clip and the corresponding key frame),

the record associating the corresponding media asset, the

corresponding location within the associated asset roll, and a first

designation (Chakravarty paragraphs 0019-0024 e.g. storing each of the digital

clips, each of the corresponding key frames, and data concerning a

correspondence between the digital clip and the corresponding key frame … the

storage for the digital clips and the key frames may include a streaming video

server data store);

a second designation, substantially indicative of a portion of said motion

picture (Chakravarty paragraph 0042 e.g. A digital video 1401 comprises a series of

digital pictures, which may or may not be related, as generated typically by an encoder.

The video includes a series of frames, and is viewed over time. Some of these frames

within the video 1401 are selected as key frames 1403a-f. A key frame is typically

selected by a user as indicating the beginning of a cohesive sequence of pictures. Key

frames may be selected automatically or arbitrarily, as well. Each key frame thus is a

snapshot representative of its sequence. Key frames may be used as a navigational aid

for examining and traversing the video, to select or lasso or bracket a particular section

or sections of the video, and for editing the section(s) of the video, to ultimately be used

in a clip 1405. The term clip is used to refer to a selected portion or portions of the

video, whether or not that portion has been edited. Clips may be combined and further

edited, resulting in another clip. A clip may be created from more than one digital video,

if desired.)

an interface, operatively connected to said database, responsive to said

second designation to retrieve from said database a selectable portion of said at

least one record for which said first designation substantially matches said

second designation, said selectable portion including the corresponding location

within the associated asset roll, thereby determining the corresponding location

and asset roll for at least one resulting media asset substantially associated with

said second designation (Chakravarty paragraph 0044 e.g. The user interface

advantageously represents each digital video or clip 201A, 201B, 201C by displaying a

key frame, or preferably by displaying a thumbnail representation of the key frame.

Preferably, the system also displays any title associated with the clip or video, and the

start time and end time of the video or clip. As illustrated, the start time and end time

may reflect the clip's timing relative to the digital video. In preferred embodiments, any

one of these digital videos or clips may be selected by the user and run on any appropriate video player, so that the viewer may review the selected digital video);

     whereby the resulting media asset can be efficiently retrieved (Chakravarty paragraph 0044 e.g. any one of these digital videos or clips may be selected by the user and run on any appropriate video player, so that the viewer may review the selected digital video).

9.   With respect to claim 2,

     Chakravarty further discloses **wherein first designation comprises scene-designation** (Chakravarty paragraph 0054 e.g. A particular scene may be bracketed by selecting one or more consecutive key frames).

10.   With respect to claim 3,

     Chakravarty further discloses **wherein first designation comprises take designation** (Chakravarty paragraph 0054 e.g. A particular scene may be bracketed by selecting one or more consecutive key frames).

11.   With respect to claim 4,

     Chakravarty further discloses **wherein first designation comprises a set-up designation** (Chakravarty paragraph 0005 e.g. In a photo shoot for a movie, several cameras cover each scene. Ultimately, the editor utilized the EDL to decide which camera will be used for each particular period of time, and then edits the physical film footage to obtain a final product for a scene).

12.   With respect to claim 5,

Chakravarty further discloses **wherein first designation comprises a camera designation** (Chakravarty paragraph 0054 e.g. Typically, a key frame marks a change in the video, such as would be caused by angle changes, panning, and change in camera).

13.   With respect to claim 6,

Chakravarty further discloses **wherein the corresponding location is expressed as a timecode** (Chakravarty paragraph 0055 e.g. A user may adjust the start point and end point of the bracketed set of clips by adjusting the in time 407 and the out time 409 of the bracketed set of clips).

14.   With respect to claim 7,

Chakravarty further discloses **wherein the corresponding location is expressed as a frame count** (Chakravarty paragraph 0046 e.g. This information could be stored in a number of ways, including strictly by example, as a pointer to the clip, or an offset from the start of the video (for the beginning of the clip); and as a pointer to the end of the clip, an offset from the start of the clip, or an offset from the start of the video (for the end of the clip); Further, as referring to Blanton et al (US 4,752,836): each video frame is identified by a frame count or other frame identifying indicia Also, each frame is logically connected to the next frame in the branch sequence, for example with a doubly-linked list structure, so that the control computer is always able to determine the next frame to be accessed from the video disc based on information pertaining to the current frame being displayed (see Blanton col. 14 lines 20-29)).

15.   With respect to claim 9,

Chakravarty further discloses **wherein said media assets comprise trims**

(Chakravarty paragraphs 0010-0013 e.g. Clips can be grouped together and snippets of

video can be re-ordered into a rough cut assemblage of a video storyboard … there are

several storyboards, each storyboard including a variety of different digital clips).

16.   With respect to claim 10,

Chakravarty further discloses **wherein said media assets comprise outs**

(Chakravarty paragraph 0010 e.g. entire videos).

17.   With respect to claim 11,

Chakravarty further discloses **said media assets comprise mag** (Chakravarty

paragraph 0010 e.g. rough cut assemblage).

18.   With respect to claim 12,

Chakravarty further discloses **further comprising:**

a digital media repository, comprising at least one digital media file

(Chakravarty paragraph 0016 e.g. The digital assets may be, for example, digital video,

animation, still shot, text, and/or audio) **representative of at least one of said first**

plurality of media assets, and

wherein said database further associates the media asset with the

corresponding media file, and

said interface further comprises a first digital media viewer, operably

connected to said first digital media repository, such that the corresponding

media file can be retrieved and displayed;

whereby the media file representative of the resulting media asset can be viewed without retrieving the resulting media asset (Chakravarty paragraph 0044 e.g. The user interface advantageously represents each digital video or clip 201A, 201B, 201C by displaying a key frame, or preferably by displaying a thumbnail representation of the key frame. Preferably, the system also displays any title associated with the clip or video, and the start time and end time of the video or clip. As illustrated, the start time and end time may reflect the clip's timing relative to the digital video. In preferred embodiments, any one of these digital videos or clips may be selected by the user and run on any appropriate video player, so that the viewer may review the selected digital video**).**

19.   With respect to claim 13,

Chakravarty further discloses **wherein:**

said digital media repository further comprises document images (Chakravarty paragraph 0011 e.g. the display presenting an image for the key frame corresponding to each of the digital clips of the storyboard) **corresponding to a fourth plurality of documents** (Chakravarty paragraph 0019 e.g. a caption is stored for the key frame for at least one of the digital clips, wherein the display corresponding to the storyboard includes the caption for the key frame)**;**

said database further comprises document records associating each of the document images with an associated third designation;

said interface further comprising a document image viewer, and responsive to said second designation to retrieve from said digital media repository and

display one of said document images indicated by a resulting one of the

document records for which said third designation substantially matches said

second designation;

      whereby document images associated with the resulting media asset can

be viewed without retrieving the documents (Chakravarty paragraph 0044 e.g. The

user interface advantageously represents each digital video or clip 201A, 201B, 201C

by displaying a key frame, or preferably by displaying a thumbnail representation of the

key frame. Preferably, the system also displays any title associated with the clip or

video, and the start time and end time of the video or clip. As illustrated, the start time

and end time may reflect the clip's timing relative to the digital video. In preferred

embodiments, any one of these digital videos or clips may be selected by the user and

run on any appropriate video player, so that the viewer may review the selected digital

video).

20.   With respect to claim 14,

      Chakravarty further discloses **wherein said fourth plurality of documents**

comprise a lined script (Chakravarty paragraph 0019 e.g. a caption is stored for the

key frame for at least one of the digital clips, wherein the display corresponding to the

storyboard includes the caption for the key frame) **of said motion picture.**

21.   With respect to claim 16,

      Chakravarty further discloses **wherein**

      said interface further comprises document controls for navigating

(Chakravarty paragraph 0042 e.g. Key frames may be used as a navigational aid for

examining and traversing the video, to select or lasso or bracket a particular section or

sections of the video, and for editing the section(s) of the video, to ultimately be used in

a clip 1405) **among document images, said document controls operating to select**

a different one of the document images and to update (Chakravarty paragraph 0011

e.g. Also included is modifying at least one of the digital clips in the storyboard,

including (i) adjusting, responsive to a user request, a beginning time for at least one of

the digital clips; (ii) adjusting, responsive to a user request, an end time for at least one

of the digital clips; and (iii) storing, responsive to the user request, the adjusted time for

at least one of the digital clips) **said second designation to equal said associated**

third designation;

     whereby media assets can be selected by navigation among document

images (Chakravarty paragraph 0044 e.g. The user interface advantageously

represents each digital video or clip 201A, 201B, 201C by displaying a key frame, or

preferably by displaying a thumbnail representation of the key frame. Preferably, the

system also displays any title associated with the clip or video, and the start time and

end time of the video or clip. As illustrated, the start time and end time may reflect the

clip's timing relative to the digital video. In preferred embodiments, any one of these

digital videos or clips may be selected by the user and run on any appropriate video

player, so that the viewer may review the selected digital video).

22.   With respect to claim 17,

    Chakravarty further discloses **wherein:**

each of the media assets represented by the media file has an offset
(Chakravarty paragraph 0046 e.g. as a pointer to the clip, or an offset from the start of
the video (for the beginning of the clip); and as a pointer to the end of the clip, an offset
from the start of the clip, or an offset from the start of the video (for the end of the clip))
within the media file,

**said database further associates the media asset and said offset within the
corresponding media file,**

**said first digital media viewer uses the associated offset to retrieve and
display a portion of the media file pertinent to the media asset** (Chakravarty
paragraph 0046 e.g. as a pointer to the clip, or an offset from the start of the video (for
the beginning of the clip); and as a pointer to the end of the clip, an offset from the start
of the clip, or an offset from the start of the video (for the end of the clip))**.**

23.   With respect to claim 18,

Chakravarty further discloses **wherein:**

one of the consolidated asset rolls is digitized (Chakravarty paragraph 0010
e.g. may also be used with other digital assets, including for example audio, animation,
logos, text, etc.) **to provide a corresponding one of the media files, and**

**the offset within the media file for each media asset in the asset roll is
proportional to the corresponding location of the media asset within the asset roll**
(Chakravarty paragraph 0046 e.g. as a pointer to the clip, or an offset from the start of
the video (for the beginning of the clip); and as a pointer to the end of the clip, an offset
from the start of the clip, or an offset from the start of the video (for the end of the clip)).

24.   With respect to claim 19,

Chakravarty further discloses **wherein:**

one of the media assets was previously transferred to a videotape

(Chakravarty paragraph 0007 and Fig. 12 e.g. FIG. 12 is one example of an off-line,

digital video editing computer system 1210, including a digital editor 1212 for editing

digitized versions of video or digitized video version of film; VIDEO TPAE) **by a telecine**

and is represented within said

videotape at a first timecode,

said videotape is digitized, beginning at a second timecode (Chakravarty

paragraph 0055 e.g. A user may adjust the start point and end point of the bracketed

set of clips by adjusting the in time 407 and the out time 409 of the bracketed set of

clips)**, to provide a corresponding one of the media files,**

the offset within the corresponding media file for the previously transferred

media asset is proportional to the difference between the second timecode and

the first timecode (Chakravarty paragraph 0055 e.g. A user may adjust the start point

and end point of the bracketed set of clips by adjusting the in time 407 and the out time

409 of the bracketed set of clips)**.**

25.   With respect to claim 20,

Chakravarty further discloses **wherein**

said digital media repository further comprises a thumbnail image

(Chakravarty paragraph 0044 e.g. The user interface advantageously represents each

digital video or clip 201A, 201B, 201C by displaying a key frame, or preferably by

displaying a thumbnail representation of the key frame. Preferably, the system also
displays any title associated with the clip or video, and the start time and end time of the
video or clip. As illustrated, the start time and end time may reflect the clip's timing
relative to the digital video. In preferred embodiments, any one of these digital videos
or clips may be selected by the user and run on any appropriate video player, so that
the viewer may review the selected digital video) **representative of the at least one
media asset,**

**said database further associating said thumbnail image with the media
asset,**

**said at least one record further comprising a reference to said thumbnail
image, and**

**said interface able to retrieve said thumbnail image from the digital media
repository, to represent said media asset in said interface.**

26.   With respect to claim 21,

Chakravarty further discloses **wherein**

**said interface responds to selection of said thumbnail image by causing
said first digital media viewer to display the media asset** (Chakravarty paragraph
0044 e.g. The user interface advantageously represents each digital video or clip 201A,
201B, 201C by displaying a key frame, or preferably by displaying a thumbnail
representation of the key frame. Preferably, the system also displays any title
associated with the clip or video, and the start time and end time of the video or clip. As
illustrated, the start time and end time may reflect the clip's timing relative to the digital

video. In preferred embodiments, any one of these digital videos or clips may be selected by the user and run on any appropriate video player, so that the viewer may review the selected digital video).

27.   With respect to claim 22,

Chakravarty further discloses **wherein**

at least one digital media file comprising an edited (Chakravarty paragraph 0007 e.g. As a source video is edited, a digital editor 1212 keeps an account of each edit event and synchronization point for the event. The set of edit events comprise an edit event sequence 1220, which the digital editor works on for an editing user) **version of said motion picture;**

said interface further comprising a second digital media viewer for displaying the media file of the edited motion picture, said second digital media viewer having playback (Chakravarty paragraph 0065 e.g. Videos can be played back, for example via an embedded real player in the web client 707) **controls for navigating within the edited motion picture;**

said second digital media viewer updating (Chakravarty paragraph 0055 e.g. A user may adjust the start point and end point of the bracketed set of clips by adjusting the in time 407 and the out time 409 of the bracketed set of clips) **said second designation to correspond to the portion of said motion picture currently displayed by the second viewer;**

whereby the edited motion picture can be used to navigate the media assets.

28.   With respect to claim 23,

Chakravarty further discloses **wherein**

at least one digital media file comprising an edited version of said motion

picture;

said interface further comprising a second digital media viewer

(Chakravarty paragraph 0050 e.g. A preview of a clip preferably launches a video player

and runs the clip) **for displaying the media file of the edited motion picture;**

said second digital media viewer responding to changes (Chakravarty

paragraph 0058 e.g. a key frame marks a change in the video, such as would be

caused by angle changes, panning, and change in camera) **to said second**

designation by displayed portion of said motion picture indicated by the second

designation;

whereby the display of the edited motion picture relates to the resulting

media asset.

29.   With respect to claim 24,

Chakravarty further discloses **further comprising a first network** (Chakravarty

paragraph 0021 e.g. importing a resource located at a URL as at least one of the digital

assets) **disposed between said interface and said digital media repository.**

30.   With respect to claim 27,

Chakravarty further discloses **wherein said first network comprises the**

Internet (Chakravarty paragraph 0021 e.g. importing a resource located at a URL as at

least one of the digital assets).

31.   With respect to claim 28,

Chakravarty further discloses **further comprising a network disposed between said interface and said database** (Chakravarty paragraph 0021 e.g. importing a resource located at a URL as at least one of the digital assets).

32.   With respect to claim 30,

Chakravarty further discloses **wherein said network comprises the Internet** (Chakravarty paragraph 0021 e.g. importing a resource located at a URL as at least one of the digital assets).

33.   With respect to claim 31,

Chakravarty further discloses **further comprising:**

a fifth plurality of containers for storing at least one consolidated asset rolls, each container having a unique container designation (Chakravarty paragraph 0042 e.g. A digital video 1401 comprises a series of digital pictures, which may or may not be related, as generated typically by an encoder. The video includes a series of frames, and is viewed over time. Some of these frames within the video 1401 are selected as key frames 1403a-f. A key frame is typically selected by a user as indicating the beginning of a cohesive sequence of pictures. Key frames may be selected automatically or arbitrarily, as well. Each key frame thus is a snapshot representative of its sequence. Key frames may be used as a navigational aid for examining and traversing the video, to select or lasso or bracket a particular section or sections of the video, and for editing the section(s) of the video, to ultimately be used in a clip 1405. The term clip is used to refer to a selected portion or portions of the video,

whether or not that portion has been edited. Clips may be combined and further edited, resulting in another clip. A clip may be created from more than one digital video, if desired.); **and wherein**

said database further records the container designation for the container in which each of the consolidated asset rolls is stored, and

said interface indicates container designation associated with said at least one resulting media asset.

34.   With respect to claim 32,

Chakravarty further discloses **a method for accessing assets of a motion picture comprising the steps of:**

(a) providing a consolidated archive,

said consolidated archive comprising a first plurality of stored media assets and a database,

said first plurality of stored media assets having been acquired for said motion picture,

each of said first plurality of stored media assets having been created for an associated one of a second plurality of stored takes,

each of said first plurality of stored media assets being stored on an associated one of a third plurality of consolidated asset rolls and having a corresponding location therein,

said database, for each of said first plurality of stored media assets, relating said corresponding location in said associated one of said third

plurality of consolidated asset rolls and said associated one of said second

plurality of stored takes;

(b) interrogating said database about a sought one of said second plurality

of stored takes (Chakravarty paragraph 0054 e.g. A particular scene may be bracketed

by selecting one or more consecutive key frames);

(c) receiving a result comprising said corresponding location in said

associated one of said third plurality of consolidated asset rolls of said sought

one of said second plurality of stored takes from said database; and

(d) indexing (Chakravarty paragraph 0073 e.g. indexing) into at least one of

said associated one of said third plurality of consolidated asset rolls to at least

one said corresponding location; thereby physically accessing at least one said

first plurality of stored media assets related to said sought one of said second

plurality of stored takes.

Claim Rejections - 35 USC § 103

35.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

36.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

37.   Claim 8 is rejected under 35 U.S.C. 103(a) as being obvious by Chakravarty, and

in view of Rabowsky et al (U.S. Patent 6,141,530 hereinafter, "Rabowsky").

38.   With respect to claim 8,

Although Chakravarty substantially teaches the claimed invention, Chakravarty

does not explicitly indicate **wherein said media assets comprise B-negative**.

Rabowsky teaches the limitations by stating **said media assets comprise B-negative** (Rabowsky col. 12 lines 44-58 e.g. Once the original camera negative is

converted to a lossless digital file, editing and review is simplified by utilizing powerful

computer editing systems. As a result, creators and editors require access to the long

term archival storage system so that they can retrieve specific files, perform editing and

review functions, and then place an authorized amended version of the cinema file back

in storage).

It would have been obvious to one of ordinary skill in the art of media asset

management, at the time of the present invention, having the teachings of Chakravarty

and Rabowsky before him/her, to modify the media asset management system of

Chakravarty, wherein the media asset management system would include the teachings

of Rabowsky because that would have allowed the media asset management system to

focus on the delivery of motion pictures to theaters electronically, completely changing

the delivery system presently employed by the motion picture industry from its present

photochemical-mechanical technology to an entirely new digital electronic technology

(Rabowsky col. 1 lines 39-45).

39.   Claims 15, 25-26 and 29 are rejected under 35 U.S.C. 103(a) as being obvious

by Chakravarty, and in view of Black (U.S. Patent Application 2002/0099577 A1

hereinafter, "Black").

40.   With respect to claim 15,

        Although Chakravarty substantially teaches the claimed invention, Chakravarty

does not explicitly indicate **wherein said fourth plurality of documents comprise**

script notes of said motion picture.

        Black teaches the limitations by stating **wherein said fourth plurality of**

documents comprise script notes (Black paragraph 0179 e.g. Storage not only

includes data, which is managed currently on the VPL server, but also any additional

information managed by the PC or VC stored on the PC, e.g. location stills, set

drawings, script notes) **of said motion picture**.

        It would have been obvious to one of ordinary skill in the art of media asset

management, at the time of the present invention, having the teachings of Chakravarty

and Black before him/her, to modify the media asset management system of

Chakravarty, wherein the media asset management system would include the teachings

of Black because that would have allowed the media asset management system to

provide a virtual production link system for media production includes a vendor

database, a service database and budget program, and further includes auction

program to permit vendors or service companies to bid on supplying products or

services (Black paragraph 0003).

41.   With respect to claim 25,

        Black further discloses **wherein said first network comprises a secure LAN**

(Black paragraphs 0002 and 0236 e.g. All users are connected through the VPL secure

network/data base (Chart 1, #4); When the PC machine is reconnected to the VPL

network, either through dial-up, LAN, WAN, or Internet connection**).

42.   With respect to claim 26,

        Chakravarty further discloses **further comprising a second network disposed**

between said interface and said database, wherein said second network

comprises the Internet (Chakravarty paragraph 0021 e.g. importing a resource located

at a URL as at least one of the digital assets**).

43.   With respect to claim 29,

        Black further discloses **wherein said network comprises a secure LAN** (Black

paragraphs 0002 and 0236 e.g. All users are connected through the VPL secure

network/data base (Chart 1, #4); When the PC machine is reconnected to the VPL

network, either through dial-up, LAN, WAN, or Internet connection**).

Conclusion

The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

44.   The examiner requests, in response to this office action, support be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to page(s) and line no(s) in the specification and/or drawing figure(s). This will assist the examiner in prosecuting the application.

45.   When responding to this office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present, in view of the state of the art disclosed by the reference cited or the objections made. He or she must also show how the amendments avoid such references or objections See 37 CFR 1.111(c).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SyLing Yen whose telephone number is 571-270-1306. The examiner can normally be reached on Mon-Fri 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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SyLing Yen
Examiner
Art Unit 2166

SY
February 25, 2009

/Khanh B. Pham/

Primary Examiner, Art Unit 2166